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## TRANSMITTAL FORM

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Total Number of Pages in This Submission

11

Application Number

10/578,334-Conf. #5694

Filing Date

May 4, 2006

First Named Inventor

Kyung-Goo KANG

Art Unit

1796

Examiner Name

T. N. Nguyen

Attorney Docket Number

1599-0326PUS1

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Response to Notice Of Non-Compliant Amendment
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	BIRCH, STEWART, KOLASCH & BIRCH, LLP		
Signature			
Printed name	Craig A. McRobbie		
Date	OCT 21 2008	Reg. No.	42,874



Docket No.: 1599-0326PUS1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Kyung-Goo KANG et al.

Application No.: 10/578,334

Confirmation No.: 5694

Filed: May 4, 2006

Art Unit: 1796

For: FUNGICIDAL MICROEMULSION

Examiner: T. N. Nguyen

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INTRODUCTORY COMMENTS**

In response to the Examiner's Notice of Non-compliant Amendment dated October 10, 2008, Applicant respectfully resubmits the amended claim set with correct listing of claims in connection with the above-identified application.

**This reply includes**

**Amended Claim Set with Correct Listing of Claims; and**

**Remarks.**